

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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MICHAEL G. NEWAGO,

Plaintiff,

v.

ORDER

RN KRISTINE PRALLE, SGT. MITCHELL  
KUNHART, SGT. MCCLIMANS, and C.O.  
ANDREW HELLAND,

20-cv-199-jdp

Defendant.

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Pro se plaintiff Michael G. Newago is proceeding on Eighth Amendment and state law claims that prison staff at Jackson Correctional Institution failed to provide him medical care after he told staff that he was experiencing severe stomach pain and was vomiting blood. Newago has filed a motion for leave to file an amended complaint. Dkt. 13.

I will grant the motion. Newago's proposed amended complaint does not add any new allegations, claims, or defendants, but the amended complaint removes references to unrelated claims on which plaintiff is not proceeding and references to plaintiff's state law negligence claims against defendants. Therefore, it appears that plaintiff filed the amended complaint solely to simplify his pleading and to eliminate his state law claims. For the same reasons explained in the previous screening order, Dkt. 6, Newago may continue proceeding on Eighth Amendment claims against all defendants.

ORDER

IT IS ORDERED that:

1. Plaintiff Michael G. Newago's motion for leave to file an amended complaint, Dkt. 13, is GRANTED.

2. Plaintiff is GRANTED leave to proceed on his claims that defendants Sergeant McClimans, Mitchell Kunhart, Andrew Helland, and Kristine Pralle violated his rights under the Eighth Amendment by failing to respond to his request for medical treatment after he reported that he was experiencing severe stomach pain and was vomiting blood.

Entered July 28, 2020.

BY THE COURT:

/s/

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JAMES D. PETERSON  
District Judge